IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA

WRS, INC., d/b/a WRS MOTION PICTURE LABORATORIES, a corporation,

Plaintiff,

vs.

PLAZA ENTERTAINMENT, INC., a corporation, ERIC PARKINSON, an individual, CHARLES von BERNUTH, an individual and JOHN HERKLOTZ, an individual,

Defendants.

CIVIL ACTION

No. 00-2041

MOTION FOR SUMMARY JUDGMENT AS TO DEFENDANT, JOHN HERKLOTZ

AND NOW comes, Plaintiff, WRS, Inc., by and through its counsel, Thomas E. Reilly, P.C., with the following Motion for Summary Judgment as to Defendant, John Herklotz:

1. WRS, Inc. (hereinafter referred to as "WRS") sued John Herklotz (hereinafter referred to as "Herklotz") on his promise to guaranty payment of the Plaza debt to WRS by signing the a Guaranty Agreement pleaded as Plaintiff's Exhibit "B".

2. WRS has filed a Concise Statement of Facts that demonstrates that there is no genuine issue of material facts as to the fact of Herklotz's liability.

3. WRS has filed a Brief to establish that as a matter of law, John Herklotz has not established any defense to the enforcement of his promise as guarantor.

WHEREFORE, WRS, Inc., respectfully requests that this Court grant it Summary Judgment as to the liability of John Herklotz to WRS, Inc. for the debt owed to WRS by Plaza Entertainment, Inc.

THOMAS E. REILLY, P.C.

BY:___/s/ Thomas E. Reilly_____

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